

UNITED STATES OF AMERICA
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

CHAIRMAN:
Judge Wm. Terrell Hodges
United States District Court
Middle District of Florida

MEMBERS:
Judge John F. Keenan
United States District Court
Southern District of New York

Judge Bruce M. Selya
United States Court of Appeals
First Circuit

Judge Julia Smith Gibbons
United States Court of Appeals
Sixth Circuit

Judge D. Lowell Jensen
United States District Court
Northern District of California

Judge J. Frederick Motz
United States District Court
District of Maryland

Judge Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

DIRECT REPLY TO:

Michael J. Beck
Clerk of the Panel
One Columbus Circle, NE
Thurgood Marshall Federal
Judiciary Building
Room G-255, North Lobby
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August 14, 2003

NOTICE OF HEARING SESSION

Dear Counsel:

Pursuant to the order of the Judicial Panel on Multidistrict Litigation filed today, you are hereby notified that a hearing session has been scheduled to consider various matters pursuant to 28 U.S.C. § 1407.

DATE OF HEARING SESSION: October 9, 2003

LOCATION OF HEARING SESSION: E. Barrett Prettyman U.S. Courthouse
Cereemonial Courtroom No. 20, Sixth Floor
333 Constitution Avenue, N.W.
Washington, D.C. 20001

TIME OF HEARING SESSION: In those matters designated for oral argument, counsel presenting oral argument must be present at **8:30 a.m.** in order for the Panel to allocate the amount of time for oral argument. Oral argument will commence at **9:30 a.m.**

Please direct your attention to the enclosed Hearing Session Order and Schedule of Matters for Hearing Session for a listing of the matters scheduled for consideration at this hearing session.

- Section A of this Schedule lists the matters designated for oral argument.
- Section B of this Schedule lists the matters that the Panel has determined to consider **without oral argument**, pursuant to Rule 16.1(c), R.P.J.P.M.L., 199 F.R.D. 425, 439 (2001).

For those matters listed on Section A of the Schedule, the enclosed blue "Notice of Presentation or Waiver of Oral Argument" must be returned to this office no later than **September 22, 2003**. Note the procedures governing Panel oral argument which are outlined on the enclosed "Procedures for Oral Argument before the Judicial Panel on Multidistrict Litigation." These procedures are strictly adhered to and your cooperation is appreciated.

Very truly,



Michael J. Beck
Clerk of the Panel

c: Clerk, U.S. District Court for the District of Columbia

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION
FILED

AUG. 14, 2003

MICHAEL J. BECK
CLERK OF THE PANEL

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

WM. TERRELL HODGES, CHAIRMAN, JOHN F. KEENAN, BRUCE M. SELYA, JULIA SMITH GIBBONS, D. LOWELL JENSEN, J. FREDERICK MOTZ AND ROBERT L. MILLER, JR., JUDGES OF THE PANEL

HEARING SESSION ORDER

IT IS ORDERED that on October 9, 2003, a hearing session will be held in Washington, D.C., to consider the matters on the attached Schedule under 28 U.S.C. § 1407.

IT IS FURTHER ORDERED that at said hearing session the Panel may, on its own initiative, consider transfer of any or all of the actions in those matters to any district or districts.

IT IS FURTHER ORDERED that at said hearing session the matters listed on Section A of the attached Schedule shall be designated for oral argument.

IT IS FURTHER ORDERED that at said hearing session the matters listed on Section B of the attached Schedule shall be considered without oral argument, pursuant to Rule 16.1(c), R.P.J.P.M.L., 199 F.R.D. 425, 439 (2001). The Panel reserves the prerogative, on any basis including submissions of parties pursuant to Panel Rule 16.1(b), to issue a subsequent notice designating any of those matters for oral argument.

IT IS FURTHER ORDERED that the Clerk of the Judicial Panel on Multidistrict Litigation shall direct notice of this hearing session to counsel for all parties involved in the matters on the attached Schedule.

FOR THE PANEL:



Wm. Terrell Hodges
Chairman

SCHEDULE OF MATTERS FOR HEARING SESSION
October 9, 2003 -- Washington, D.C.

SECTION A
MATTERS DESIGNATED FOR ORAL ARGUMENT

MDL-1556 -- In re Pressure Sensitive Labelstock Antitrust Litigation

Motion of plaintiff Ogden Brothers, Inc., for centralization of certain of the following actions in the United States District Court for the Northern District of Illinois; motion of defendant Avery Dennison Corporation for centralization of certain of the following actions in the United States District Court for the Western District of North Carolina or, in the alternative, the United States District Court for the District of Minnesota; and motion of defendants Bemis Company, Inc.; Morgan Adhesives Company; UPM-Kymmene Oyj; and Raflatac, Inc., for centralization of the following actions in the United States District Court for the Western District of North Carolina:

Northern District of Illinois

Sentry Business Products, Inc. v. Avery Dennison Corp., et al., C.A. No. 1:03-2767
Bertek Systems, Inc. v. Avery Dennison Corp., et al., C.A. No. 1:03-2946
Glenroy, Inc., etc. v. UPM Kymmene Oyj, et al., C.A. No. 1:03-3097
Ogden Brothers, Inc. v. Avery Dennison Corp., et al., C.A. No. 1:03-3203

District of Minnesota

McCarty Printing Corp., etc. v. Avery Dennison Corp., et al., C.A. No. 0:03-3188
Graphic Art Systems, Inc., etc. v. Avery Dennison Corp., et al., C.A. No. 0:03-3255

Western District of North Carolina

Hyde Park Label Corp. v. Avery Dennison Corp., et al., C.A. No. 3:03-315
Ampersand Label, Inc. v. Avery Dennison Corp., et al., C.A. No. 3:03-316

Middle District of Pennsylvania

Scranton Label, Inc. v. Avery Dennison Corp., et al., C.A. No. 3:03-871

MDL-1558 -- In re Air Crash at Charlotte International Airport on January 8, 2003

Motion of plaintiff Rebecca Edgerton for centralization of the following actions in the United States District Court for the Western District of North Carolina:

Southern District of Ohio

Rebecca Edgerton, etc. v. Mesa Air Group, Inc., et al., C.A. No. 3:03-42

Eastern District of Pennsylvania

Donna Sullivan, etc. v. Mesa Air Group, Inc., et al., C.A. No. 2:03-3144

Andrea Fonte, etc. v. Mesa Air Group, Inc., et al., C.A. No. 2:03-3508

MDL-1559 -- In re Wireless Telephone Federal Cost Recovery Fees Litigation

Motion of defendants Nextel Communications, Inc.; Nextel Communications; Nextel of California, Inc.; Nextel Operations, Inc.; Nextel Partners Operating Corporation; Nextel Retail Stores, Inc.; Nextel South Corporation; Nextel West Corporation; Nextel West Services, L.L.C.; Sprint Spectrum L.P.; Sprint International Communications Corporation; and Sprint Corporation for centralization of the following actions in the United States District Court for the Western District of Missouri:

Central District of California

Matthew Rasic v. Nextel Communications, Inc., et al., C.A. No. 2:03-4075

Northern District of Florida

Susan Martelli, et al. v. Nextel South Corp., et al., C.A. No. 4:03-173

Southern District of Florida

Dynamic Network Support, LLC v. Nextel Communications, Inc., C.A. No. 0:03-61125

Daniels & Daniels, PA v. Nextel South Corp., C.A. No. 9:03-80518

Barry Grimson v. Sprint Corp., et al., C.A. No. 9:03-80523

MDL-1559 (Continued)

Western District of Missouri

Greg Benney v. Sprint International Communications Corp., et al., C.A. No. 2:02-4269
Joseph A. Blando, et al. v. Nextel Retail Stores, Inc., C.A. No. 4:02-921

Northern District of Ohio

Steven D. Solomon, et al. v. Sprint Spectrum LP, C.A. No. 1:03-1170

Eastern District of Pennsylvania

Seth Lamb v. Nextel Communications, C.A. No. 2:03-3501

Western District of Tennessee

Steve Strange v. Nextel Communications, et al., C.A. No. 2:03-2428
James Edward Campbell v. Sprint Spectrum, LP, C.A. No. 2:03-2438

MDL-1560 -- In re Western States Wholesale Electricity Litigation (No. II)

Motion of defendants Dynegy, Inc.; Dynegy Power Marketing, Inc.; Cabrillo Power II, L.L.C.; El Segundo Power, L.L.C.; Long Beach Generation, L.L.C.; Duke Energy; Sempra Energy; Sempra Energy Trading; Sempra Energy Resources; San Diego Gas & Electric; Reliant Energy, Inc.; Reliant Energy Services, Inc.; Mirant Corporation, L.L.C.; Southern Energy Delta, L.L.C.; Southern Energy Portero, L.L.C.; The Williams Companies, Inc.; Williams Energy Services Company; and Williams Energy Marketing and Trading for centralization of the following actions in the United States District Court for the Northern District of California:

Northern District of California

People of the State of California, et al. v. Mirant Corp., et al., C.A. No. 3:02-1787
People of the State of California, et al. v. Reliant Energy, Inc., et al., C.A. No. 3:02-1788

Southern District of California

Jerry Egger, et al. v. Dynegy, Inc., et al., C.A. No. 3:03-1060

MDL-1561 -- In re Travel Agent Commission Antitrust Litigation

Motion of defendants Delta Air Lines, Inc.; American Airlines, Inc.; and Continental Airlines, Inc., for centralization of the following actions in a single United States district court:

Northern District of California

Tam Travel, Inc., et al. v. Delta Airlines, Inc., et al., C.A. No. 4:03-1502

Northern District of Ohio

Paula Fausky, et al. v. American Airlines, et al., C.A. No. 1:03-832

Eastern District of Texas

Swope Travel Agency, et al. v. Orbitz LLC., et al., C.A. No. 1:03-346

MDL-1562 -- In re General Motors Corp. Dex-Cool Products Liability Litigation

Motion of defendant General Motors Corporation for centralization of the following actions in the United States District Court for the Southern District of Illinois:

Southern District of Illinois

Kim Dochwat, et al v. General Motors Corp., C.A. No. 3:03-410

Western District of Missouri

Michael Gutzler, et al. v. General Motors Corp., C.A. No. 4:03-408

MDL-1564 -- In re Farmers Insurance Co., Inc., Insurance Premiums Litigation

Motion of plaintiff Donna S. Mobbs for centralization of the following actions in the United States District Court for the Western District of Oklahoma:

Eastern District of Arkansas

Harry Corl, et al. v. Farmers Insurance Co., Inc., et al., C.A. No. 4:03-456

Western District of Arkansas

Russell Autry, et al. v. Farmers Insurance Group, et al., C.A. No. 4:03-4014

Western District of Oklahoma

Donna S. Mobbs v. Farmers Insurance Co., Inc., C.A. No. 5:03-158

MDL-1565 -- In re National Century Financial Enterprises, Inc., Investment Litigation

Motion of Bank One, N.A.; Bank One Corporation; Banc One Capital Markets, Inc.; JPMorgan Chase Bank; Credit Suisse First Boston Corporation; Deloitte & Touche LLP; PricewaterhouseCoopers LLP; Thomas G. Mendell; Harold W. Pote; and Eric Wilkinson for centralization of the following actions in the United States District Court for the Southern District of Ohio:

District of Arizona

Rebecca S. Parrett v. Bank One N.A., et al., C.A. No. 2:03-541

City of Chandler, et al. v. Bank One, N.A., et al., C.A. No. 2:03-1220

Middle District of Florida

Michael Mahoney, et al. v. John F. Andrews, et al., C.A. No. 3:03-467

District of New Jersey

Metropolitan Life Insurance Co., et al. v. Bank One, N.A., et al., C.A. No. 2:03-1882

Lloyds TSB Bank PLC v. Bank One, N.A., et al., C.A. No. 2:03-2784

MDL-1565 (Continued)

Southern District of Ohio

Pharos Capital Partners, LP v. Deloitte & Touche, LLP, et al., C.A. No. 2:03-362
Bank One, N.A. v. Lance K. Poulsen, et al., C.A. No. 2:03-394

MDL-1566 -- In re Western States Wholesale Natural Gas Antitrust Litigation

Motion of defendants CenterPoint Energy, Inc.; Coral Energy Resources, L.P.; Duke Energy Corporation; Duke Energy North America, LLC; Duke Energy Trading and Marketing LLC; Encana Corporation; Reliant Energy, Inc.; Reliant Energy Services, Inc.; Reliant Resources, Inc.; and Kathy Zanaboni for centralization of the following actions in the United States District Court for the Northern District of California:

Central District of California

Team Design, et al. v. Reliant Energy Inc., et al., C.A. No. 2:03-3644

Eastern District of California

E&J Gallo Winery v. Encana Energy Services, Inc., et al., C.A. No. 1:03-5412

Northern District of California

Shanghai 1930 Restaurant Partners, L.P. v. Encana Energy Services, Inc., et al.,
C.A. No. 3:03-2948
A.L. Gilbert Co. v. Coral Energy Resources, L.P., et al., C.A. No. 3:03-2949
Oberti Wholesale Foods, Inc. v. Encana Energy Services, Inc., et al., C.A. No. 3:03-2994
David C. Brown v. Encana Energy Services, Inc., et al., C.A. No. 3:03-2995
Lois The Pie Queen v. Encana Energy Services, Inc. et al., C.A. No. 3:03-3173

Southern District of California

Laurence Uyeda, et al. v. Centerpoint Energy, Inc., et al., C.A. No. 3:03-1149

MDL-1567 -- In re Federal Home Loan Mortgage Corp. Securities & Derivative Litigation

Motion of plaintiffs Louise Phillips, L.A. Murphy, Joe Koot, Emanuel Wasserman, Sidney Horn, Jean Mullin, and Miles Senn for centralization of the following actions in the United States District Court for the Eastern District of Virginia:

Southern District of New York

Joshua Frank v. Federal Home Loan Mortgage Corp., et al., C.A. No. 1:03-4170
Alfred Singleton v. Federal Home Loan Mortgage Corp., et al., C.A. No. 1:03-4256
Roger Sprigle, et al. v. Federal Home Loan Mortgage Corp., et al., C.A. No. 1:03-4261
Abraham Elias v. Federal Home Loan Mortgage Corp., et al., C.A. No. 1:03-4392
Robert L. Garber v. Federal Home Loan Mortgage Corp., et al., C.A. No. 1:03-4470
Esther Sadowsky Testamentary Trust, etc. v. Leland C. Brendsel, et al.,
C.A. No. 1:03-4910
James A. Kucinich v. Federal Home Loan Mortgage Corp., et al., C.A. No. 1:03-4968
Randall Roenigk v. Federal Home Loan Mortgage Corp., et al., C.A. No. 1:03-4970
Mark D. Lanoux, et al. v. Federal Home Loan Mortgage Corp., et al.,
C.A. No. 1:03-5105

Eastern District of Virginia

Louise Phillips v. Federal Home Loan Mortgage Corp., et al., C.A. No. 1:03-755
L.A. Murphy v. Federal Home Loan Mortgage Corp., et al., C.A. No. 1:03-775
Joe Koot v. Federal Home Loan Mortgage Corp., et al., C.A. No. 1:03-780
Emanuel Wasserman v. Federal Home Loan Mortgage Corp., et al., C.A. No. 1:03-795
Sidney Horn v. David Glenn, et al., C.A. No. 1:03-803
Jean Mullin v. Federal Home Loan Mortgage Corp., et al., C.A. No. 1:03-811
Miles Senn v. Federal Home Loan Mortgage Corp., et al., C.A. No. 1:03-877

SECTION B
MATTERS DESIGNATED FOR CONSIDERATION WITHOUT ORAL ARGUMENT

MDL-875 -- In re Asbestos Products Liability Litigation (No. VI)

Oppositions of plaintiffs Deronda Greer, et al.; Herbert C. Ayers, et al.; and James W. Blasius, et al., to transfer of their respective following actions to the United States District Court for the Eastern District of Pennsylvania:

Northern District of Mississippi

Deronda Greer, et al. v. Baird & Co., et al., C.A. No. 4:03-116

District of South Carolina

Herbert C. Ayers, et al. v. Owens-Illinois, Inc., et al., C.A. No. 2:03-1284

James W. Blasius, et al. v. Owens-Illinois, Inc., et al., C.A. No. 2:03-1288

MDL-1014 -- In re Orthopedic Bone Screw Products Liability Litigation

Oppositions of plaintiffs Roy F. Amedee, Jr., et al.; Kenneth M. Wright; and Lestelle & Lestelle to transfer of their respective following actions to the United States District Court for the Eastern District of Pennsylvania:

Eastern District of Louisiana

Roy F. Amedee, Jr., et al. v. W. Bradley Parker, C.A. No. 2:03-1534

Kenneth M. Wright v. Zimmerman Reed, PLLP, C.A. No. 2:03-1535

Lestelle & Lestelle v. Zimmerman Reed, PLLP, C.A. No. 2:03-1536

MDL-1132 -- In re Exterior Insulation Finish System (EIFS) Products Liability Litigation

Opposition of plaintiffs Gregory W. Byrne, et al., to transfer of the following action to the United States District Court for the Eastern District of North Carolina:

District of Oregon

Gregory W. Byrne, et al. v. Dryvit Systems, Inc., et al., C.A. No. 3:03-45

MDL-1200 -- In re Flat Glass Antitrust Litigation

Motion of plaintiff JELD-WEN, Inc., et al., to remand, under 28 U.S.C. § 1407(a), the following action to the United States District Court for the District of Oregon:

Western District of Pennsylvania

JELD-WEN, Inc., et al. v. Asahi Glass Co. Ltd., et al., C.A. No. 2:99-875
(D. Oregon, C.A. No. 3:99-351)

MDL-1203 -- In re Diet Drugs (Phentermine/Fenfluramine/Dexfenfluramine) Products Liability Litigation

Oppositions of plaintiffs to transfer of their respective following actions to the United States District Court for the Eastern District of Pennsylvania:

Northern District of Georgia

Jean Kimmerle, et al. v. Wyeth, Inc., et al., C.A. No. 1:03-1034

Southern District of Illinois

Mildred Vaughn v. Wyeth, et al., C.A. No. 3:03-349

Western District of Kentucky

Kathy Meunier v. Wyeth, et al., C.A. No. 5:03-137

MDL-1203 (Continued)

Northern District of Mississippi

Mallie Vee McCullum, et al. v. Wyeth, et al., C.A. No. 4:03-148
Sandra G. Brown, et al. v. Wyeth, et al., C.A. No. 4:03-151
Latisha Fairley, et al. v. Wyeth, et al., C.A. No. 4:03-212
Ronald Wise, et al. v. Wyeth, et al., C.A. No. 4:03-213
Claudia Edwards, et al. v. Wyeth, et al., C.A. No. 4:03-268

Southern District of Mississippi

Vickie Magee, et al. v. Wyeth, et al., C.A. No. 2:03-217
Bonnie V. Field, et al. v. Wyeth, et al., C.A. No. 2:03-274
Kathryn Hope Blackledge, et al. v. Wyeth, Inc., et al., C.A. No. 2:03-275
Deloise Sample, et al. v. Wyeth, et al., C.A. No. 3:03-534
Shirley J. Knight, et al. v. Wyeth, Inc., et al., C.A. No. 3:03-583
Teresa Russum, et al. v. Wyeth, et al., C.A. No. 3:03-708
Annette McGill, et al. v. Wyeth, Inc., et al., C.A. No. 4:03-163
Michael Montgomery, et al. v. Wyeth, et al., C.A. No. 5:03-235

Eastern District of Missouri

Glenda Wisdom, et al. v. Wyeth, Inc., et al., C.A. No. 4:03-552

Northern District of Texas

Joanne Alexander v. Wyeth, et al., C.A. No. 3:03-1401

Southern District of Texas

Marilyn Morrison v. Wyeth, et al., C.A. No. 3:03-387
Maryann McBrayer, et al. v. Wyeth, et al., C.A. No. 4:03-1556
Louis J. Williams, Sr. v. Wyeth, et al., C.A. No. 4:03-2244

Western District of Texas

Sherri S. Rowe v. Wyeth, et al., C.A. No. 1:03-396
Karen Gracey v. Wyeth, et al., C.A. No. 1:03-421

MDL-1203 (Continued)

Motion of plaintiffs Cheryl McCurdy, Loretta Ferrell, and Yuvonne Wilson to dissolve MDL-1203 and to remand all pending actions to their respective transferor courts.

MDL-1348 -- In re Rezulin Products Liability Litigation

Oppositions of plaintiffs Kaila Porter; Annie Pearl Adams, et al.; Sandra Keyes, etc.; Albert Blackwell, et al.; Howard Chambliss, et al.; Emma Dorsey; and Emily Krulyac, etc., to transfer of their respective following actions to the United States District Court for the Southern District of New York:

Southern District of Mississippi

Kaila Porter v. Warner-Lambert Co., et al., C.A. No. 2:03-259
Annie Pearl Adams, et al. v. Warner-Lambert Co., et al., C.A. No. 3:03-588
Sandra Keyes, etc. v. Warner-Lambert Co., et al., C.A. No. 3:03-605
Albert Blackwell, et al. v. Warner-Lambert Co., et al., C.A. No. 3:03-606
Howard Chambliss, et al. v. Warner-Lambert Co., et al., C.A. No. 5:03-219
Emma Dorsey v. Pfizer, Inc., et al., C.A. No. 5:03-239

District of New Mexico

Emily Krulyac, etc. v. Pfizer, Inc., et al., C.A. No. 1:03-519

MDL-1355 -- In re Propulsid Products Liability Litigation

Opposition of plaintiffs Floyd Ray, Jr.; Julia Carpenter, et al.; and Patricia Shorter, et al., to transfer of their respective following actions to the United States District Court for the Eastern District of Louisiana:

Southern District of Mississippi

Floyd Ray, Jr. v. Johnson & Johnson, et al., C.A. No. 3:03-673

Julia Carpenter, et al. v. Johnson & Johnson, et al., C.A. No. 5:03-285

Patricia Shorter, et al. v. Johnson & Johnson, et al., C.A. No. 5:03-286

MDL-1373 -- In re Bridgestone/Firestone, Inc., Tires Products Liability Litigation

Opposition of plaintiff Jacqueline Zuccaro to transfer of the following action to the United States District Court for the Southern District of Indiana:

Northern District of Illinois

Jacqueline Zuccaro v. Ford Motor Co., et al., C.A. No. 1:03-2152

Opposition of plaintiffs Francisco Javier Pacheco, et al., to remand, under 28 U.S.C. § 1407(a), of the following action to the United States District Court for the Southern District of Florida:

Southern District of Indiana

Francisco Javier Pacheco, et al. v. Ford Motor Co., et al., C.A. No. 1:02-5654
(S.D. Florida, C.A. No. 1:02-21380)

MDL-1387 -- In re ProteGen Sling and Vesica System Products Liability Litigation

Opposition of plaintiffs Carolyn Watteau, et al., to transfer of the following action to the United States District Court for the District of Maryland:

Southern District of Texas

Carolyn Watteau, et al. v. Boston Scientific Corp., et al., C.A. No. 4:03-1560

MDL-1390 -- In re Life Insurance Co. of Georgia Industrial Life Insurance Litigation

Oppositions of plaintiffs Annie Morris, et al.; Dorothy Johnson, et al.; Annie L. Felton; Helena J. Bankhead, et al.; Gertrude Green; Letha Simpson, et al.; and Jerry Neal, et al., to transfer of their respective following actions to the United States District Court for the Eastern District of Louisiana:

Northern District of Mississippi

Annie Morris, et al. v. Life Insurance Co. of Georgia, et al., C.A. No. 4:03-191
Dorothy Johnson, et al. v. Life Insurance Co. of Georgia, et al., C.A. No. 4:03-192
Annie L. Felton v. Life Insurance Co. of Georgia, et al., C.A. No. 4:03-206
Helena J. Bankhead, et al. v. Life Insurance Co. of Georgia, et al., C.A. No. 4:03-251

Southern District of Mississippi

Gertrude Green v. Life Insurance Co. of Georgia, et al., C.A. No. 3:03-477
Letha Simpson, et al. v. Life Insurance Co. of Georgia, et al., C.A. No. 3:03-492
Jerry Neal, et al. v. Life Insurance Co. of Georgia, et al., C.A. No. 3:03-559

MDL-1401 -- In re Sulzer Orthopedics Inc. Hip Prosthesis and Knee Prosthesis Products
Liability Litigation

Opposition of plaintiffs Brian C. Howard, M.D., et al., to transfer of the following action to the United States District Court for the Northern District of Ohio:

Northern District of Oklahoma

Brian C. Howard, M.D., et al. v. Centerpulse Ltd., et al., C.A. No. 4:02-564

MDL-1407 -- In re Phenylpropanolamine (PPA) Products Liability Litigation

Oppositions of plaintiffs to transfer of their respective following actions to the United States District Court for the Western District of Washington:

Northern District of Mississippi

Royal Lewis, et al. v. Bayer Corp., et al., C.A. No. 2:03-172

Verna Dunlap, et al. v. Bayer Corp., et al., C.A. No. 4:03-207

Southern District of Mississippi

Nathan Frank Townsend, et al. v. Wyeth, et al., C.A. No. 2:03-193

Louise Overstreet, etc. v. Bayer Corp., et al., C.A. No. 2:03-268

Robin Elizabeth Shivers, et al v. Rhodes & Robby Drugs, Inc., et al., C.A. No. 3:03-272

Maria Claiborne, et al. v. GlaxoSmithKline Consumer Healthcare, L.P., et al.,
C.A. No. 3:03-444

James D. Thigpen, et al. v. Bayer Corp., et al., C.A. No. 4:03-153

James Chasey v. Bayer Corp., et al., C.A. No. 5:03-174

Deedward Lacy, et al. v. Wyeth, et al., C.A. No. 5:03-187

James E. Anderson, et al. v. Bayer Corp., et al., C.A. No. 5:03-188

Augusta McClure v. Wyeth Consumer Healthcare, et al., C.A. No. 5:03-197

MDL-1407 (Continued)

Motion of plaintiff Laura M. Bonucchi for reconsideration of the Panel's ruling transferring the following action to the United States District Court for the Western District of Washington:

Western District of Washington

Laura M. Bonucchi v. Welpharm, Inc., et al., C.A. No. 2:03-1436 (E.D. Michigan,
C.A. No. 2:02-75100)

MDL-1409 -- In re Currency Conversion Fee Antitrust Litigation

Oppositions of plaintiffs Joshua Rubin; John Gillard, et al.; and Rosa L. Giovine, et al., to transfer of their respective following actions to the United States District Court for the Southern District of New York:

Southern District of Florida

Joshua Rubin v. MasterCard International, Inc., C.A. No. 1:03-21241

Northern District of Illinois

John Gillard, et al. v. MasterCard International, Inc., et al., C.A. No. 1:03-3401
Rosa L. Giovine, et al. v. MasterCard International, Inc., C.A. No. 1:03-3487

MDL-1477 -- In re Serzone Products Liability Litigation

Oppositions of plaintiffs to transfer of their respective following actions to the United States District Court for the Southern District of West Virginia:

Northern District of Mississippi

Carolyn Irving, et al. v. Bristol-Myers Squibb Co., Inc., et al., C.A. No. 4:03-252
Carol J. Barnett, et al. v. Bristol-Myers Squibb Co., et al., C.A. No. 4:03-257

Southern District of Mississippi

Shirley F. Rayner, et al. v. Bristol-Myers Squibb Co., et al., C.A. No. 2:03-290
Earnestine Mitchell, et al. v. Bristol-Myers Squibb Co., Inc., et al., C.A. No. 3:03-666
Barbara Young, et al. v. Bristol-Myers Squibb Co., Inc., et al., C.A. No. 3:03-667
Cheryl Rankin v. Bristol-Myers Squibb Co., Inc., et al., C.A. No. 3:03-668
Ann Thompson, et al. v. Bristol-Myers Squibb Co., Inc., et al., C.A. No. 3:03-686
Charles Wayne Bryant, etc. v. Bristol-Myers Squibb Co., Inc., et al., C.A. No. 3:03-687
Glendora Nickelson, et al. v. Bristol-Myers Squibb Co., Inc., et al., C.A. No. 4:03-189
Verine Minor, et al. v. Bristol-Myers Squibb Co., Inc., et al., C.A. No. 5:03-284
Robbie Bailey, et al. v. Bristol-Myers Squibb Co., Inc., et al., C.A. No. 5:03-290
Louvenia K. Hargo, et al. v. Bristol-Myers Squibb Co., Inc., et al., C.A. No. 5:03-291

MDL-1481 -- In re Meridia Products Liability Litigation

Oppositions of plaintiffs Annie Price, et al., and Teresa Bishop, et al., to transfer of their respective following actions to the United States District Court for the Northern District of Ohio:

Southern District of Mississippi

Annie Price, et al. v. Abbott Laboratories, et al., C.A. No. 3:03-334
Teresa Bishop, et al. v. Knoll Pharmaceutical Co., et al., C.A. No. 3:03-521

MDL-1484 -- In re Merrill Lynch & Co., Inc., Research Reports Securities Litigation

Opposition of plaintiff Omar Zuhdi to transfer of the following action to the United States District Court for the Southern District of New York:

Western District of Oklahoma

Omar Zuhdi v. Merrill Lynch, Pierce, Fenner & Smith, Inc., C.A. No. 5:02-1682

MDL-1487-- In re WorldCom, Inc., Securities & "ERISA" Litigation

Oppositions of plaintiffs State of Alaska Department of Revenue, et al., and City of Birmingham Retirement & Relief Fund to transfer of their respective following actions to the United States District Court for the Southern District of New York:

District of Alaska

State of Alaska Dept. of Revenue, et al. v. Citigroup, Inc., et al., C.A. No. 3:03-99

Northern District of Alabama

City of Birmingham Retirement & Relief Fund v. Citigroup, Inc., et al.,
C.A. No. 2:03-994

MDL-1488 -- In re Ford Motor Co. Panther Platform/Fuel Tank Design Products Liability Litigation

Opposition of plaintiff Ryan Hanan to transfer of the following action to the United States District Court for the Northern District of Ohio:

Northern District of California

Ryan Hanan v. Ford Motor Co., C.A. No. 3:03-1727

MDL-1507 -- In re Prempro Products Liability Litigation

Opposition of plaintiffs Elnora B. Wilson, et al., to transfer of the following action to the United States District Court for the Eastern District of Arkansas:

Northern District of Mississippi

Elnora B. Wilson, et al. v. Wyeth, Inc., et al., C.A. No. 4:03-141

MDL-1508 -- In re Medco Health Solutions, Inc., Pharmacy Benefits Management Litigation

Opposition of plaintiff Suppressed to transfer of the following action to the United States District Court for the Southern District of New York:

Eastern District of Missouri

Suppressed v. Suppressed, et al., C.A. No. 4:03-417

PROCEDURES FOR ORAL ARGUMENT BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

All oral argument is governed by the provisions of Rule 16.1 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation (effective April 2, 2001). Rule 16.1(g) allows a maximum of twenty minutes for oral argument in each matter. In most cases, however, less time is necessary for the expression of all views and the Panel reserves the prerogative of reducing the time requested by counsel. Accordingly, counsel should be careful not to overstate the time requested for oral argument.

The Panel insists that counsel limit all oral argument to the appropriate criteria. See generally In re “East of the Rockies” Concrete Pipe Antitrust Cases, 302 F. Supp. 244, 255-56 (J.P.M.L. 1969) (concurring opinion) (discussion concerning criteria for transfer).

Rule 16.1 is duplicated in its entirety hereafter for your convenience.

RULE 16.1: HEARING SESSIONS AND ORAL ARGUMENT

(a) Hearing sessions of the Panel for the presentation of oral argument and consideration of matters taken under submission without oral argument shall be held as ordered by the Panel. The Panel shall convene whenever and wherever desirable or necessary in the judgment of the Chairman. The Chairman shall determine which matters shall be considered at each hearing session and the Clerk of the Panel shall give notice to counsel for all parties involved in the litigation to be so considered of the time, place and subject matter of such hearing session.

(b) Each party filing a motion or a response to a motion or order of the Panel under Rules 7.2, 7.3, 7.4 or 7.6 of these Rules may file simultaneously therewith a separate statement limited to one page setting forth reasons why oral argument should, or need not, be heard. Such statements shall be captioned "Reasons Why Oral Argument Should [Need Not] Be Heard," and shall be filed and served in conformity with Rules 5.12 and 5.2 of these Rules.

(c) No transfer or remand determination regarding any action pending in the district court shall be made by the Panel when any party timely opposes such transfer or remand unless a hearing session has been held for the presentation of oral argument except that the Panel may dispense with oral argument if it determines that:

- (i) the dispositive issue(s) have been authoritatively decided; or
- (ii) the facts and legal arguments are adequately presented in the briefs and record, and the decisional process would not be significantly aided by oral argument.

Unless otherwise ordered by the Panel, all other matters before the Panel, such as a motion for reconsideration, shall be considered and determined upon the basis of the papers filed.

(d) In those matters in which oral argument is not scheduled by the Panel, counsel shall be promptly advised. If oral argument is scheduled in a matter the Clerk of the Panel may require counsel for all parties who wish to make or to waive oral argument to file and serve notice to that effect within a stated time in conformity with Rules 5.12 and 5.2 of these Rules. Failure to do so shall be deemed a waiver of oral argument by that party. If oral argument is scheduled but not attended by a party, the matter shall not be rescheduled and that party's position shall be treated as submitted for decision by the Panel on the basis of the papers filed.

(e) Except for leave of the Panel on a showing of good cause, only those parties to actions scheduled for oral argument who have filed a motion or written response to a motion or order shall be permitted to appear before the Panel and present oral argument.

(f) Counsel for those supporting transfer or remand under Section 1407 and counsel for those opposing such transfer or remand are to confer separately prior to the oral argument for the purpose of organizing their arguments and selecting representatives to present all views without duplication.

(g) Unless otherwise ordered by the Panel, a maximum of twenty minutes shall be allotted for oral argument in each matter. The time shall be divided equally among those with varying viewpoints. Counsel for the moving party or parties shall generally be heard first.

(h) So far as practicable and consistent with the purposes of Section 1407, the offering of oral testimony before the Panel shall be avoided. Accordingly, oral testimony shall not be received except upon notice, motion and order of the Panel expressly providing for it.

(i) After an action or group of actions has been set for a hearing session, consideration of such action(s) may be continued only by order of the Panel on good cause shown.